

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Cr. No. 24-CR-369-DHU
	)	
<b>ROBERT ABEYTA,</b>	)	
	)	
Defendant.	)	
	)	

**UNITED STATES' RESPONSE IN PARTIAL OPPOSITION TO DEFENDANT'S  
MOTION TO MODIFY CONDITIONS OF RELEASE**

The United States files this brief response to elaborate on its opposition to the Motion to Modify Conditions of Release (Doc. 45) by Defendant, Robert Abeyta. As grounds, the United States submits as follows:

1. During the pendency of this case, Defendant has been ordered to reside at La Pasada Halfway House in Albuquerque and has been subject to GPS location monitoring. Doc. 21.
2. On February 11, 2025, Defendant was sentenced to 102 months in prison for assaulting John Doe. Doc. 44. He was ordered to self-surrender to BOP's FCI Danbury facility within 60 days. Doc. 43.
3. According to Google maps, FCI Danbury is approximately a 30-hour drive from La Pasada Halfway House.<sup>1</sup>
4. Given the length of that trip, Defendant's request to be released from La Pasada and terminated from GPS monitoring one week prior to self-surrendering is excessive. And

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<sup>1</sup> <https://maps.app.goo.gl/sRoNHegBQUctrq7w9>.

to the extent Defendant requests to return to Ohkay Owingeh during this time, *see* Doc. 45 at 1 (requesting release date of April 2, 2025 “so that he may clean up his personal business in Ohkay Owingeh”), the United States objects to that request on the basis that John Doe and his relatives continue to reside in the Ohkay Owingeh area.

5. The United States would not object to the requested modifications if they were to take effect on April 6, 2025, three days prior to Defendant’s self-surrender date.

The United States therefore respectfully asks this Court to deny Defendant’s motion in part, and not to modify his conditions of release prior to April 6, 2025.

Respectfully submitted,

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Acting United States Attorney

/s/ *Electronically filed*  
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I HEREBY CERTIFY that the foregoing pleading was electronically filed, which caused counsel of record to be served by electronic means.

/s/  
MEG TOMLINSON